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**LOWENSTEIN SANDLER PC**

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Bank One Corporation  
Bank One N.A.  
First National Bank of Chicago  
First Chicago NBD Corporation

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ESTATE OF HENRY BLOOM t/a A. & H.  
BLOOM CONSTRUCTION CO., BY AND  
THROUGH STEVEN BLOOM, EXECUTOR OF  
THE ESTATE OF HENRY BLOOM

PLAINTIFF,

-v-

BANK ONE CORPORATION, et al.,  
DEFENDANTS.

Civil Action No. \_\_\_\_\_

Honorable

**NOTICE OF REMOVAL  
(28 U.S.C. §1446)**

1. Bank One Corporation, Bank One N.A., First National Bank of Chicago, First Chicago NBD Corporation and First Chicago Credit Corp. are the defendants in a civil action brought on May 4, 2004, in the Superior Court of New Jersey (Camden County). Pursuant to provisions of Section 1441 and 1446 of Title 28 of the United States Code, Bank One Corporation, Bank One N.A., First National Bank of Chicago, and First Chicago NBD Corporation remove this action to the United States District Court for the District of New Jersey, Camden Division, which is the judicial district and division in which the action is pending.

2. The grounds for removal of this action are:

a. On May 4, 2004, plaintiff filed a complaint in the Superior Court of New Jersey (Camden County), Civil Action No. CAM L - 006374 03.

b. There is complete diversity of citizenship between the plaintiff and defendants in this action because:

i. The plaintiff is the Estate of Henry Bloom, t/a A.&H. Bloom Construction Company ("A.&H. Bloom") by and through its Executor, Steven Bloom. A.&H. Bloom Construction Company is a New Jersey sole proprietorship owned by Henry Bloom and registered to do business in the State of New Jersey. A.&H. Bloom's principle place of business is located at 1300 Route 73, Suite 106, Mount Laurel, New Jersey 08054. At the time of his death, Henry Bloom resided at 9999 Collins Avenue, Bal Harbour, Florida. Upon information and belief, Steven Bloom, the Executor, is a resident of New Jersey.

ii. Defendant Bank One Corporation is a corporation that is organized and incorporated under the laws of the State of Delaware, with its principle place of business at 1 Bank One Plaza, Chicago, Illinois. Defendant First Chicago NDB Corporation has merged into Bank One Corporation.

iii. Defendant Bank One N.A. is a national bank registered with the Office of the Comptroller of the Currency ("OCC"), with its principal place of business at 1 Bank One Plaza, Chicago, Illinois 60670. Defendant First National Bank of Chicago is now known as Bank One N.A.

iii. First Chicago Credit Corporation, is a dissolved Delaware corporation.

c. More than \$75,000, exclusive of interest and costs, is in controversy in this action.

This court would have had original subject matter jurisdiction of this matter under the provisions of 28 U.S.C. §1332 if the action had originally been brought in federal court. Removal is, therefore, proper under 28 U.S.C. §1441(a).

3. Removal of this case on the basis of diversity of citizenship is not precluded by the provisions of Section 1441(b) of Title 28 of the United State Code because none of the parties in interest properly joined and served as defendants are citizens of the State of New Jersey, the State in which this action was brought.

4. This Notice of Removal is timely under Section 1446(b) of Title 28 of the United States Code because the Civil Case Information Statement and Complaint in this action were filed on May 4, 2004 and Bank One Corporation, Bank One N.A., First National Bank of Chicago and First Chicago NBD Corporation accepted service on May 17, 2004. This Notice of Removal is filed within 30 days of receipt of the Summons, Civil Case Information Statement and Complaint and within one year of the commencement of the action, so that it is timely filed under 28 U.S.C. §1446(b).

5. All state-court papers served on the defendant at the time of removal, consisting of Civil Case Information Statement and Complaint are attached.

**LOWENSTEIN SANDLER P C**

Attorneys for Defendants

Bank One Corporation

Bank One N.A.

First National Bank of Chicago

First Chicago NBD Corporation

By: 

Michael David Lichtenstein (ML-1597)

Michael J. Caffrey (MC-3483)

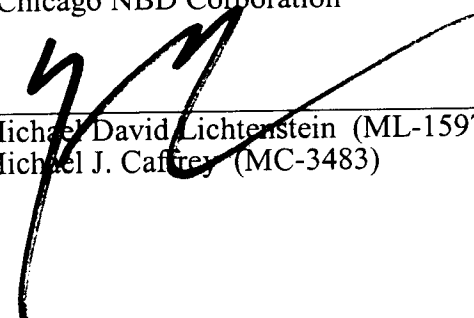
Dated: May 26, 2004

**CERTIFICATION PURSUANT TO LOCAL CIVIL RULE 11.2**

I hereby certify that, to the best of my knowledge, on January 27, 2000, plaintiff A.&H. Bloom Construction Company filed a third-party action against defendants in the action captioned *Pennsauken Solid Waste Management Authority et al., v. Ward Sand & Material Co., Inc. et al.*, pending in the Superior Court of New Jersey, Law Division-Camden County, Docket No. L-13345-91. Plaintiff's third-party complaint was subsequently severed and stayed. On November 17, 2003, plaintiff filed a separate action against defendant Bank One Corporation which was subsequently removed to the United States District Court for the District of New Jersey. On February 13, 2004, plaintiff filed an Amended Complaint against Bank One Corporation, Bank One N.A., First Chicago NBD Corporation, First National Bank of Chicago and First Chicago Credit Corporation. On April 28, 2004, plaintiff filed a Second Amended Complaint identifying the plaintiff as the Estate of Henry Bloom t/a A.&H. Bloom Construction Co. by and through Steven Bloom, Executor of the Estate of Henry Bloom. This action is currently pending before the Honorable Freda L. Wolfson. On May 4, 2004, plaintiff filed another action against defendants that is the subject of this Notice of Removal. I certify that, to the best of my knowledge, the above-captioned action is not the subject of any other action pending in any court or the subject of a pending arbitration proceeding, and no other action or arbitration proceeding is contemplated. I further certify that, to the best of my knowledge, no other parties need be joined in this matter. I certify that the foregoing statements made by me are true. I am aware that, if any of the foregoing statements are willfully false, I am subject to punishment.

**LOWENSTEIN SANDLER P.C.**  
Attorneys for Defendants Bank One  
Corporation, Bank One N.A.,  
First National Bank of Chicago and  
First Chicago NBD Corporation

By:

  
Michael David Lichtenstein (ML-1597)  
Michael J. Caffrey (MC-3483)

Dated: May 26, 2004